

**CALENDAR ITEM
C29**

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06/18/02

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WP 5411.9

N. Quesada

RECREATIONAL PIER LEASE

APPLICANT:

Calido Bay Homeowners Association

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Corte Madera Canal, city of Larkspur, Marin County.

AUTHORIZED USE:

Continued use and maintenance of an existing floating dock, gangway and pier.

LEASE TERM:

Ten years, beginning August 31, 2002.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. On December 17, 1992, the Commission authorized a Recreational Pier Permit with Calido Bay Homeowners Association. In 1997, Calido replaced its existing dock with a new pressure treated floating dock, gangway and pier. Calido Bay Homeowners Association is now applying for a new Recreational Pier Lease. The applicant is a homeowner's association owning a littoral parcel from which an existing floating dock, gangway and pier extend onto State-owned land. The applicant qualifies for a rent-free Recreational Pier Lease because all eleven parcels within the association's condominium are owned by natural persons and, therefore, qualify for rent-free status pursuant to Section 6503.5 of the Public Resources Code.

CALENDAR ITEM NO. **C29** (CONT'D)

2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 2, Replacement or Reconstruction; Title 2, California Code of Regulations, section 2905 (b).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

3. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

N/A.

EXHIBITS:

- A. Site Map
- B. Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 2, REPLACEMENT OR RECONSTRUCTION; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (b).

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

CALENDAR ITEM NO. **C29** (CONT'D)

AUTHORIZATION:

AUTHORIZE ISSUANCE TO CALIDO BAY HOMEOWNERS ASSOCIATION OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING AUGUST 31, 2002, FOR A FLOATING DOCK, GANGWAY AND PIER, ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$1,000,000.